

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

KEITH R. GOMEZ,

Petitioner,

v.

STATE OF WASHINGTON,

Respondent.

No. C11-5258 RJB/KLS

ORDER DIRECTING SUBSTITUTION OF  
PARTY

Mr. Gomez has filed a petition for writ of habeas corpus naming the State of Washington as Respondent. ECF No. 1. The proper respondent to a habeas petition is the “person who has custody over [the petitioner].” 28 U.S.C. § 2242; see also § 2243; *Brittingham v. United States*, 982 F.2d 378 (9th Cir. 1992); *Dunne v. Henman*, 875 F.2d 244, 249 (9th Cir. 1989). According to his petition, Mr. Gomez is currently confined at the Washington State Penitentiary in Walla Walla, Washington. The Superintendent of the Washington State Penitentiary is Stephen D. Sinclair.

Accordingly, the Clerk of Court is directed to substitute Stephen D. Sinclair as the Respondent in this action. The Clerk shall send copies of this Order to Petitioner and counsel for Respondent.

DATED this 2nd day of May, 2011.



Karen L. Strombom  
United States Magistrate Judge